

Republic of the Philippines
Congress of the Philippines
Metro Manila

Fifth Regular Session

Begun and held in Metro Manila, on Monday, the twenty-second day of July, nineteen hundred and ninety-one.

[REPUBLIC ACT 7322]

AN ACT INCREASING MATERNITY BENEFITS IN FAVOR OF WOMEN WORKERS IN THE PRIVATE SECTOR, AMENDING FOR THE PURPOSE SECTION 14-A OF REPUBLIC ACT NO. 1161, AS AMENDED, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 14-A of Republic Act No. 1161, as amended, is further amended to read as follows:

“SEC. 14-A. *Maternity Leave Benefit.* -- A covered female employee who has paid at least three monthly maternity contributions in the twelve-month period preceding the semester of her childbirth, abortion or miscarriage and who is currently employed shall be paid a daily maternity benefit equivalent to one hundred percent (100%) of her present basic salary, allowances and other benefits or the cash equivalents of such benefits for sixty (60) days subject to the following conditions:

“(a) That the employee shall have notified her employer of her pregnancy and the probable date of her childbirth which notice shall be transmitted to the SSS in accordance with the rules and regulations it may provide;

“(b) That the payment shall be advanced by the employer in two equal installments within thirty (30) days from the filing of the maternity leave application;

“(c) That in case of caesarian delivery, the employee shall be paid the daily maternity benefit for seventy-eight (78) days;

“(d) That payment of daily maternity benefits shall be a bar to the recovery of sickness benefits provided by this Act for the same compensable period of sixty (60) days for the same childbirth, abortion, or miscarriage;

“(e) That the maternity benefits provided under this Section shall be paid only for the first four deliveries after March 13, 1973;

“(f) That the SSS shall immediately reimburse the employer of one hundred percent (100%) of the amount of maternity benefits advanced to the employee by the employer upon receipt of satisfactory proof of such payment and legality thereof; and

“(g) That if an employee should give birth or suffer abortion or miscarriage without the required contributions having been remitted for her by her employer to the SSS, or without the latter having been previously notified by the employer of the time of the pregnancy, the employer shall pay to the SSS damages equivalent to the benefits which said employee would otherwise have been entitled to, and the SSS shall in turn pay such amount to the employee concerned.”

SEC. 2. Nothing in this Act shall be construed as to diminish existing maternity benefits under present laws and collective bargaining agreements.

SEC. 3. All laws, executive orders, proclamations, presidential decrees, rules and regulations, and other issuances, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 4. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) national newspapers of general circulation, whichever comes earlier.

Approved,

(Sgd.) RAMON V. MITRA
*Speaker of the House of
Representatives*

(Sgd.) NEPTALI A. GONZALES
President of the Senate

This bill which is a consolidation of Senate Bill No. 380 and House Bill No. 34814, was finally passed by the Senate and the House of Representatives on February 5, 1992.

(Sgd.) CAMILO L. SABIO
*Secretary General
House of Representatives*

(Sgd.) ANACLETO D. BADOY, JR.
Secretary of the Senate

Approved: March 30, 1992

(Sgd.) CORAZON C. AQUINO
President of the Philippines